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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M No. 5279 of 2016
Date of decision: 19.10.2016**

Munish Kumar

...Petitioner

Vs.

State of Punjab & Another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: None for the petitioner.

Mr. Arshdeep S. Kler, Additional Advocate General,
Punjab for respondent No. 1-State.

Mr. Sandeep Singh Josan, Advocate
for respondent No. 2.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 118 dated 14.09.2015 (**Annexure P-1**), registered under Sections 498-A and 406 of the Indian Penal Code at Police Station Chabbewal, District Hoshiarpur and all subsequent proceedings arising therefrom in view of the compromise dated 02.02.2016 (**Annexure P-2**) entered into between the parties.

The FIR has been registered on the statement of complainant-Neeta on the allegations that the accused-petitioner and his family member have been harassing her mentally and physically and demanding Rs. 5 lacs cash. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

Keeping in view the fact that the parties have entered into a

compromise, they were directed to appear before the Illaqua Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Judicial Magistrate First Class at Hoshiarpur, stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same appears to be genuine one and further that no other case or PO proceeding is pending against either of the parties.

Learned Additional Advocate General, Punjab, on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit the factum of compromise and submit that in case the parties have indeed settled their dispute, they would have no objection to the quashing of the FIR, in view of the law laid down by the Hon'ble Supreme Court.

In a decision, based on compromised, none of the parties is a loser. Rather, a compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the offences of ultimate conviction are bleak.

Consequently, keeping in view the fact that the dispute has been amicably settled and in view of the law laid down by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and another, 2012(4) RCR (Cr.) 543*, this petition is allowed and FIR No. 118 dated 14.09.2015 (**Annexure P-1**), registered under Sections 498-A and 406 of the Indian Penal Code at Police Chabbewal, District Hoshiarpur and

all subsequent proceedings arising out of the same are quashed.

The petition stands disposed of.

October 19, 2016
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No